

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HOWARD BROWN

v.

TD BANK, N.A.,  
AGNUS LIN,  
ROBERT MINDICK,  
RONALD MATTHEW, and  
EVE BADECKI

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CIVIL ACTION

NO. 15-5474

ORDER

AND NOW, this 4th day of April, 2016, upon consideration of plaintiff Howard Brown's first amended complaint, the defendants' partial motion to dismiss (docket entry #15), plaintiff's response in opposition thereto, and defendants' motion for leave to file a reply brief (docket entry #17), and for the reasons set forth in the foregoing Memorandum, it is hereby ORDERED that:

1. Defendants' motion for leave to file a reply brief (docket entry #17) is GRANTED;
2. The Clerk of Court shall DOCKET Exhibit 1 of defendants' motion for leave to file a reply brief;
3. Defendants' partial motion to dismiss (docket entry #15) is GRANTED IN PART and DENIED IN PART;
4. Count I of the first amended complaint is DISMISSED WITHOUT PREJUDICE as to defendants Agnus Lin, Robert Mindick, Ronald Matthew and Eve Badecki;
5. Counts VII, VIII and XII of the first amended complaint are DISMISSED WITH PREJUDICE as to all defendants;

6. Plaintiff may FILE a second amended complaint if he does so by noon on April 7, 2016; and

7. Defendants shall FILE an answer, motion to dismiss, or other responsive pleading by noon on April 28, 2016.

BY THE COURT:

/s/ Stewart Dalzell, J.  
Stewart Dalzell, J.